

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHARLOTTE PORTER,

Plaintiffs,

vs.

THE HOUSING AUTHORITY OF
THE CITY OF LAS VEGAS, and
CARL ROWE, individually and in his
official capacity as Executive director,

Defendants.

2:08-CV-01649-PMP-RJJ

ORDER

Before the Court for consideration is Defendants' Motion to Dismiss or in the Alternative for Summary Judgment (Doc. #12), filed on April 3, 2009.

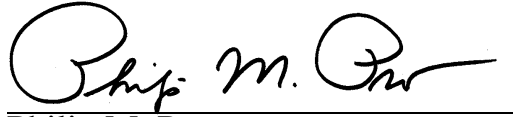
Arguments were heard on Defendants' fully briefed Motion on June 15, 2009.

This action was commenced on November 24, 2008, by the filing of Plaintiff's Complaint for monetary, declaratory and injunctive relief (Doc. #1). In her Complaint Plaintiff alleges that Defendants The Housing Authority of the City of Las Vegas, Carl Rowe, individually and in his official capacity as Executive Director of The Housing Authority of the City of Las Vegas, unlawfully terminated her federally subsidized housing assistance.

1 Defendants seek dismissal of Plaintiff's Complaint Pursuant to Nevada
2 Revised Statute § 315.007 because Plaintiff failed to timely seek judicial review
3 of the decision of The Housing Authority to terminate Plaintiff's housing
4 assistance. Plaintiff responds that N.R.S. § 315.007 applies only to a "housing
5 authority" decision to "terminate" a persons housing assistance, and that here
6 Defendants did not terminate Plaintiff's Project-Based Voucher assistance. The
7 Court agrees.

8 **IT IS THEREFORE ORDERED that** Defendants' Motion to Dismiss
9 or in the Alternative for Summary Judgment (Doc. #12) is DENIED.

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11 DATED: June 17, 2009.

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United States District Judge
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